



KENNETH A. GIBSON

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07102

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GIBSON SEEKS LEGISLATION TO REQUIRE COUNTIES TO REIMBURSE
MUNICIPALITIES FOR HOLDING COUNTY PRISONERS

Newark Mayor Kenneth Gibson said today that "the average number of County prisoners in Newark facilities has been over 120 a day, costing the City \$4800 per day or \$1.7 million a year. I believe, that the County is making a profit of \$42.95 per day per State prisoner, naturally, the County would be more interested in filling its facilities with State inmates because of the additional revenue."

In letters to State Senators John P. Caufield and Wynona Lipman, Mayor Kenneth A. Gibson has requested that they introduce legislation that would require counties to reimburse municipalities that are holding prisoners that legally belong in county detention facilities.

Citing the current overcrowding in the Newark municipal lock-up, Gibson explained that the City has "fifty cells for men and eight cells for women in our renovated facility. The old lock-up, which was supposed to have been closed last year has 29 spaces with no showers. It is unsanitary and breeds crime and disease, but we cannot close it because our average daily prisoner population has been around one hundred fifty."

Gibson noted that this situation places Newark in violation "of nearly all penal standards because of the overcrowding. It would not surprise us if the State were to condemn these facilities;

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they have already condemned our other facilities as unfit. Moreover, the courts would be well within their rights to close us down, as has been done in other states."

Gibson blamed Essex County for the current overcrowded situation in the Newark lock-up because of its refusal to accept the prisoners who have been arraigned and/or sentenced, ignoring its obligation to do so. "The City of Newark is under no legal obligation to maintain any jail; we do so merely as a convenience for our Municipal Court. As such, our jail space is designated for temporary (less than 24 hour) holding," he said. Under state law, counties are obligated to take all prisoners, including those who have not yet been arraigned.

One solution to the financial hardship facing Newark, Gibson stated, would be legislation that requires counties that do not accept their prisoners to reimburse the municipalities the same rate as they are paid by the state for holding them. His request is based on the fact that counties receive reimbursement from the state whenever they retain prisoners who are the state's responsibility at a rate of \$42.95 per day per prisoner. Municipalities, however, receive no reimbursement from counties when they hold county prisoners. There is existing legislation which requires the County to accept its prisoners from the municipalities, but to date, this has had little impact on easing the overcrowded situations due to the hold-over of county prisoners.

Gibson explained that "there is room at the County facility (Essex County Jail and the Jail Annex in Caldwell) for State prisoners

because the County will not accept its own prisoners from the City of Newark. As a result, the City is overburdened and must pay the added costs for security, food, health services and maintenance of County prisoners in City facilities. This has been costing us about \$40.00 a day per County prisoner."

Urging prompt action on this matter, Gibson reminded the senators that he has announced the necessity for lay-offs of City employees effective this January. "If the legislation I am requesting were enacted, 50 to 75 City employees will not have to lose their jobs. There is no way that the City of Newark can continue to shell out \$1.7 million a year to subsidize the County, and still maintain municipal services."

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